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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

Case No. 19-30088 (DM)

PG&E CORPORATION

Chapter 11

-and-

(Lead Case)

**PACIFIC GAS AND ELECTRIC
COMPANY,**

(Jointly Administered)

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

**JOINDER OF OFFICIAL COMMITTEE
OF UNSECURED CREDITORS TO
DEBTORS' OBJECTION TO THE *EX
PARTE* MOTION OF THE OFFICIAL
COMMITTEE OF TORT CLAIMANTS
PURSUANT TO B.L.R 9006-1
REQUESTING ORDER SHORTENING
TIME FOR HEARING ON MOTION FOR
ENTRY OF AN ORDER DETERMINING
PROCEDURES FOR PRESERVING JURY
TRIAL RIGHTS**

Related Documents: Dkt. Nos. 3479, 3481 and
3497

1 The Official Committee of Unsecured Creditors (the “Official Committee”) appointed in
2 the above-captioned chapter 11 cases, by its attorneys, Milbank LLP, hereby submits this joinder
3 to the *Debtors’ Objection to the Ex Parte Motion of the Official Committee of Tort Claimants*
4 *Pursuant to B.L.R. 9006-1 Requesting Order Shortening Time for Hearing on Motion for Entry*
5 *of an Order Determining Procedures for Preserving Jury Trial Rights* [Docket No. 3497] (the
6 “Ex Parte Objection”),¹ and respectfully states as follows:

7 1. On August 8, 2019, the Official Committee of Tort Claimants (the “TCC”) filed
8 its *Motion for Entry of an Order Determining Procedures for Preserving Jury Trial Rights*
9 [Docket No. 3479] (the “Jury Trial Motion”). The TCC followed with an *Ex Parte Motion of the*
10 *Official Committee of Tort Claimants Pursuant to B.L.R. 9006-1 Requesting Order Shortening*
11 *Time for Hearing on Motion for Entry of an Order Determining Procedures for Preserving Jury*
12 *Trial Rights* [Docket No. 3481] (the “Motion to Shorten”) seeking to have its Jury Trial Motion
13 heard on just *six days’* notice – August 14, 2019 – a calendar date that, as the Court knows, is
14 well-stocked with pressing matters.

15 2. On August 11, 2019, the Debtors filed the *Ex Parte* Objection, arguing, among
16 other things, that the Motion to Shorten does not present the “exigent circumstances” required to
17 warrant a shortening of time under B.L.R. 9006-1(c). The Official Committee agrees. The Jury
18 Trial Motion is in the vein of a comfort order—the TCC seeks to preserve jury trial rights that
19 personal injury and wrongful death claimants already have under the Local Bankruptcy Rules.
20 This is an issue that, as the Debtors acknowledge, the parties “may very well” resolve without
21 any court involvement—let alone an expedited dash to the courthouse. *Ex Parte* Objection at 1.

22 3. But even were the jury trial issue in credible dispute, no “exigent circumstances”
23 exist to support the requested relief. On customary notice, the Jury Trial Motion would be heard
24 on September 10, 2019 – within 41 days of the bar date – which would leave sufficient time for
25 filing proofs of claim by any claimants who are “wait[ing] until confirmation of preservation of
26 their jury trial rights to file their claims.” Motion to Shorten at 3. And moreover, the TCC’s
27
28

¹ Capitalized terms not defined herein have the meanings ascribed to them in the Jury Trial Motion.

1 claimed emergency is belied by the fact that it could have filed its Jury Trial Motion months ago,
2 when the Debtors filed their motion to establish a bar date.

3 4. In sum, there is simply no emergency here, and the Court should decline the
4 TCC's invitation to create one. The Official Committee joins in the Debtors' *Ex Parte*
5 Objection.

9 DATED: August 12, 2019

MILBANK LLP

10 /s/ Gregory A. Bray

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